

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSHUA PUTNAM,

Defendant.

8:07CR187

ORDER

Defendant Joshua Putnam (Putnam) appeared before the court on January 12, 2012, on the Second Amended Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 165). Putnam was represented by First Assistant Federal Public Defender Shannon P. O'Connor and the United States was represented by Assistant U.S. Attorney Russell X. Mayer. Through his counsel, Putnam waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Petition alleges probable cause and that Putnam should be held to answer for a final dispositional hearing before Chief Judge Laurie Smith Camp.

Through counsel, Putnam declined to present any evidence or request a hearing on the issue of detention. Since it is Putnam's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Putnam has failed to carry his burden and that Putnam should be detained pending a dispositional hearing before Chief Judge Smith Camp. Further, the court finds the November 18, 2011, Order Setting Conditions of Release for Putnam should be revoked.

IT IS ORDERED:

1. A final dispositional hearing will be held before Chief Judge Laurie Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 1:00 p.m. on February 2, 2012**. Defendant must be present in person.
2. Defendant Joshua Putnam is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;
3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and
4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.
5. The November 18, 2011, Order Setting Conditions of Release for Joshua Putnam (Filing No. 159) is revoked.

DATED this 12th day of January, 2012.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge